

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>THERMO KING CORPORATION,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>PHOENIX CASTING &amp; MACHINING, INC.,</b>	)	<b>8:06CV657</b>
	)	
<b>Defendant and</b>	)	<b>ORDER OF DISMISSAL</b>
<b>Third-Party Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>TRANSPORT REFRIGERATION, INC.,</b>	)	
	)	
<b>Third-Party Defendant.</b>	)	

Upon review of the parties' Joint Motion to Dismiss with Prejudice [81],

IT IS ORDERED that the Joint Motion [81] is granted. This matter is dismissed with prejudice, each party to pay its own costs and attorneys' fees.

**DATED May 20, 2008.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**